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9
10 UNITED STATES DISTRICT COURT
11
12 CENTRAL DISTRICT OF CALIFORNIA
13

14 ZHANG ZIYI, an individual,
15

16 Plaintiff,

17 v.
18

19 CHINA FREE PRESS, INC., a North
20 Carolina non-profit corporation doing
business as BOXUN NEWS; WEICAN
21 NULL MENG, an individual also known
as WATSON MENG and also known as
22 WEICAN “WATSON” MENG; DOES 1-
25, inclusive,

23 Defendants.
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CASE NO.: 2:12-cv-05216-DMG
(PLAx)

**THIRD STIPULATION TO
CONTINUE HEARING ON
MOTIONS FILED BY
DEFENDANT WEICAN NULL
“WATSON” MENG**

1 This Stipulation is by and between Plaintiff Zhang Ziyi (“Plaintiff”), on the one
2 hand, and Defendant Weican Null Meng (“Meng”) on the other hand. Plaintiff and
3 Meng are referred to collectively as the Parties. This stipulation is made with
4 reference to the following facts:

5 RECITALS

6 1. On or about August 15, 2012, Meng filed Defendant Weican Null
7 “Watson” Meng’s Motion to Dismiss Complaint for Lack of Personal Jurisdiction
8 Pursuant to 12(b)(2) (“Motion to Dismiss”);

9 2. On or about August 16, 2012, the Court scheduled the hearing on
10 Meng’s Motion to Dismiss for September 21, 2012, at 9:30am;

11 3. On or about August 18, 2012, Meng filed Defendant Weican Null
12 Meng’s Special Motion to Strike Under California Civil Procedure § 425.16 (“Meng’s
13 Motion to Strike”);

14 4. On or about August 20, 2012, Meng filed Defendant Weican Null
15 Meng’s Notice of Special Motion to Strike Under California Civil Procedure § 425.16
16 scheduling the hearing on his Motion to Strike for September 21, 2012, at 9:30am;

17 5. On or about August 31, 2012, Plaintiff and Meng filed a Stipulation to
18 Continue Hearing on Motions Filed by Defendant Weican Null “Watson” Meng
19 requesting that the hearing on Meng’s Motion to Dismiss and Motion to Strike be
20 continued to October 12, 2012, so that Plaintiff could conduct discovery for purposes
21 of opposing the two motions;

22 6. On or about September 4, 2012, the Court entered an Order re
23 Stipulation to Continue Hearing on Motions Filed by Defendant Watson Meng
24 continuing the hearing on Meng’s two Motions to October 12, 2012, and also
25 continuing the Scheduling Conference to October 12, 2012 as well;

26 7. On or about September 7, 2012, CFP filed a Special Motion of China
27 Free Press to Strike Plaintiff’s Complaint (“CFP’s Motion to Strike”), which was set
28 for hearing on October 12, 2012;

1 8. On or about September 14, 2012, the parties in this case filed a Second
2 Stipulation to Further Continue Hearing on Motions Filed by Defendant Weican Null
3 “Watson” Meng and Continue Hearing on Motion filed by China Free Press, Inc. (the
4 “Second Stipulation”);

5 9. On September 19, 2012, the Court entered an Order granting the Second
6 Stipulation, continuing the hearing on the parties’ pending motions from October 12,
7 2012 until November 16, 2012;

8 10. The Court subsequently continued the Scheduling Conference to
9 November 16, 2012 to coincide with the hearing on the parties’ pending motions;

10 11. On or about October 11, 2012, CFP withdrew its Special Motion to
11 Strike Plaintiff’s Complaint;

12 12. Between September 19 and today, Plaintiff’s counsel and counsel for
13 Defendant Meng have been conducting discovery in lieu of motion under Fed. R. Civ.
14 P. 56(d). Defendant Meng has produced more than two hundred pages of documents
15 to Plaintiff’s counsel pursuant to this arrangement, and depositions of Defendant
16 Meng and Professor Mary Hausch have commenced, but at this time, neither
17 deposition has concluded;

18 13. Discovery is still ongoing, as scheduling has been complicated by the
19 need for numerous translations for both oral testimony and written documents, and
20 the physical distance between the parties and their counsel, necessitating additional
21 time to complete the required discovery before Defendant Meng’s pending motions
22 can be opposed, fully briefed and heard;

23 14. Counsel for parties have now met and conferred and agreed to further
24 continue the date for the hearing on Meng’s Motion to Dismiss and Meng’s Motion to
25 Strike to December 21, 2012, to give Plaintiff time to complete discovery relevant to
26 the motion, including, without limitation, finishing the depositions of Meng and
27 Meng’s expert witness (Mary Hausch), and review of all documents produced to date.
28 The scope of the discovery remains limited to issues related to Meng’s Motion to

1 Dismiss and Meng's Motion to Strike, and which would be permitted in a motion
2 brought under Fed. R. Civ. P. 56(d).

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4 STIPULATION

5 Based on the above facts, the Parties hereby stipulate, agree and ask the Court
6 to order as follows:

7 1. The hearing on Meng's Motion to Dismiss and Meng's Motion to Strike
8 shall be continued until December 21, 2012, at 9:30am.

9 2. The Scheduling Conference shall be continued until December 21, 2012
10 at 9:30am.

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12 DATED: October 19, 2012

GLASER WEIL FINK JACOBS
HOWARD AVCHEN & SHAPIRO LLP

13
14 By: /s/ Adam LeBerthon

15 JOHN MASON
16 PATRICIA L. GLASER
ADAM LEBERTHON
17 ALEXANDER M. KARGHER
Attorneys for Plaintiff Zhang Ziyi

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19 DATED: October 19, 2012

RANDAZZA LEGAL GROUP

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21 By: /s/ Marc J. Randazza

22 MARC J. RANDAZZA
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